

REGULAR COUNCIL MEETING

November 4, 2013

Members Present: Douglas Baker, Mayor  
Donna Fletcher, Deputy Mayor  
Samuel Lyons  
James Marshall  
Jennifer M Horne  
Ryan Rudegeair  
Garnet Wood

Members Excused: None

In Attendance: E. William Gabrys, City Manager  
Tracy Jamieson, Deputy Manager  
Brian Spaid, Esq., City Solicitor  
Charles Gibbons, Code Enforcement/Zoning Officer  
Darla Hawke, Recording Secretary  
Daniel Weiland, One Parkway  
Karen Carey, 719 Buffalo Street, Franklin Chamber Applefest®  
David R. Lord, 407 Forest Lane, Franklin General Authority  
Jim Williams, 474 Miller Road, Franklin Chamber Applefest®  
Lynn Cochran, 857 Pone Lane, Franklin Chamber Applefest®  
Doug Volmrich, 1260 Liberty Street, Franklin Chamber Applefest®  
Robert E. Heller, 834 Elk Street  
John Deemer, Contractor for Deep Harbour Properties  
Ron Blair, 1136 Buffalo Street  
Jeremy Johnson, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:00 PM.

The First Reading of Bill No. 9, "Flood Districts/Flood Proofing," was started.

**ADOPTION OF AGENDA - Resolution No. 154**

Mr. Lyons moved to approve the agenda, as presented. Mr. Rudegeair seconded the motion, which passed unanimously.

**APPROVAL OF MINUTES - Resolution No. 155**

Mrs. Fletcher moved to approve the minutes of the regular meeting of October 7, 2013, as presented. Mr. Wood seconded the motion, which passed unanimously.

**PAY THE BILLS - Resolution No. 156**

Mr. Wood moved to pay the bills as presented. Mrs. Fletcher seconded the motion, which passed unanimously.

**CITIZENS' INQUIRIES**

Mr. Williams, representing the Applefest® Core Committee, was in attendance to thank the City for making its resources available for last month's Applefest and to present a check to help defray the City's costs.

Mr. Blair was in attendance to complain about a Sugarcreek Borough Police Officer. He was advised to contact Sugarcreek Borough.

**CERTIFICATE OF APPROPRIATENESS**

**Resolution No. 157** - Mrs. Fletcher moved and Mrs. Horne seconded a motion to approve a certificate of appropriateness for windows at 1243 Liberty Street, as presented. Motion passed unanimously.

**FY-2011 BUDGETARY TRANSFER - Resolution No. 158**

At the recommendation of Community Development Director Mrs. Jamieson, Mr. Lyons moved and Mr. Rudegear seconded a motion to approve the budgetary shift of leftover Street Improvements monies, in the amount of \$1,702.31, from the City's 2011 Community Development Block Grant Program into the Aerial Ladder Truck activity. Motion passed unanimously.

**FAIR HOUSING RESOLUTION - Resolution No. 159**

In order to stay in compliance with the Community Development Block Grant Program requirements, Mrs. Fletcher moved and Mr. Wood seconded a motion to adopt a "Fair Housing Resolution." Motion passed unanimously.

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN - Resolution No. 160**

Mr. Rudegear moved and Mrs. Horne seconded a motion to adopt a "Residential Anti-Displacement and Relocation Assistance Plan," which must be followed in the event the City should demolish a housing unit that could have been occupied by low and moderate income persons at the time it was demolished. Motion passed unanimously.

**AWARD BID - 2014 TAX ANTICIPATION NOTE - Resolution No. 161**

Mr. Marshall moved to award the bid for a six-month Note in the amount of \$450,000 to First United National Bank, the low bidder, at 1.15% interest. Mr. Lyons seconded the motion, which passed unanimously.

**BUDGET MESSAGE**

Mr. Gabrys reported the proposed 2014 budget is balanced and based on maintaining all current levels of service. Therefore, he is not recommending a tax increase. [2014 Budget Message attached to original minutes.] Council members expressed their appreciation to the City Manager and City staff for presenting a budget that did not include a tax increase.

**FIRST READING - BILL NO. 6, "BUDGET" - Resolution No. 162**

Mr. Spaid read Bill No. 6, "Budget," in its entirety. Mr. Marshall moved and Mr. Lyons seconded a motion to approve on First Reading, Bill No. 6, "Budget." Motion passed unanimously. Mr. Marshall ascertained that the public may review the detailed budget at City Hall during normal working hours.

**FIRST READING - BILL NO. 7, "REAL ESTATE TAX" - Resolution No. 163**

Mr. Spaid read Bill No. 7, "Real Estate Tax," in its entirety. Mrs. Fletcher moved and Mr. Rudegear seconded a motion to approve on First Reading, Bill No. 7, "Real Estate Tax." Motion passed unanimously.

**FIRST READING - BILL NO. 8, "EARNED INCOME TAX" - Resolution No. 164**

Mr. Spaid read Bill No. 8, "Earned Income Tax," in its entirety. Mr. Lyons moved and Mr. Rudegear seconded a motion to approve on First Reading, Bill No. 8, "Earned Income Tax." Motion passed unanimously.

**ESTABLISH BUDGET PUBLIC HEARING - Resolution No. 165**

Mr. Marshall moved and Mr. Rudegear seconded a motion to establish a Public Hearing to discuss the budget prior to the next regular Council Meeting, scheduled for 7:00 PM on December 9, 2013. Motion passed unanimously.

**FIRST READING - BILL NO. 9, "FLOOD DISTRICTS/FLOOD PROOFING" - Resolution No. 166**

Mr. Marshall moved and Mr. Wood seconded a motion to approve on First Reading, Bill No. 9, "Flood Districts/Flood Proofing," which was read in its entirety. Motion passed unanimously.

**Resolution No. 167** - Mr. Marshall moved and Mr. Lyons seconded a motion to establish a Public Hearing to discuss Bill No. 9, "Flood Districts/Flood Proofing," after the Budget Public Hearing prior to the next regular Council Meeting, scheduled for 7:00 PM on December 9, 2013. Motion passed unanimously.

**PARADE & PARK REQUESTS** - None.**REPORTS****Manager**

- Reported that, in answer to complaints from residents at September's meeting complaining that wildlife was invading their neighborhood, traps were set and notices were given in an effort to rid the Chestnut Street area of the nuisance animals. To date, 5 skunks, 11 raccoons, 2 groundhogs, 3 opossums and 7 cats, which were immediately released, had been captured. 47 enforcement notices for garbage violations and property maintenance codes were also given out.
- **Resolution No. 168** - As a requirement of the Historic Preservation Grant received for its rehabilitation, would need a Resolution for a Declaration of Covenant to keep and maintain the Wiley Avenue Bridge for 15 years. Mrs. Fletcher so moved. Mrs. Horne seconded the motion, which passed unanimously.
- **Resolution No. 169** - Requested authorization for encumbrance of capital funds, not to exceed \$6,500, for the City's match, which would be needed should a grant for self-contained breathing apparatus for the Fire Department be awarded. Mrs. Fletcher so moved. Mr. Rudegear seconded the motion, which passed unanimously.

- Reported the traffic signal at the intersection of 14<sup>th</sup> & Liberty Streets, which had been torn down by a truck hauling trusses, should be replaced by the end of the week. The trucking company's insurance carrier will cover the cost, but the City decided to add an additional \$1,500 to upgrade the pedestrian walk signals.
- **Resolution No. 170** - Requested the 2014 November Council meeting be moved to the second Monday of the month, November 10, so as not to interfere with next year's general election, which is held in Council Chambers. Mr. Lyons so moved. Mr. Wood seconded the motion, which passed unanimously.
- Advised that the proposed Historic & Architectural Review Board Guidelines had been posted in several locations on the City's website following last month's meeting.
- Reported the owners of a tree in the 400 block of Grant Street, which was deemed hazardous, had been notified and they had the tree removed.
- Would need an executive session to discuss personnel, litigation and negotiations.

**Solicitor**

- Would need an executive session to discuss possible litigation and negotiations.

**Mayor • Appointments**

**Resolution No. 171** - Mayor Baker moved to appoint Susan L. Byers to the Planning & Zoning Commission. Mrs. Fletcher seconded the motion, which passed unanimously.

**Mayor**

- Requested the Historic & Architectural Review Board Guidelines be added to next month's agenda.

**COUNCIL REPORTS****Mr. Wood**

- Reminded the public that tomorrow was election day.

**Mr. Marshall**

- Advised he had received a call from Mrs. Karns, who lived at 341 Pacific Street. She was concerned about furniture that had been sitting in the lot next to her property for several months and was not satisfied with the Code Enforcement Officer's response. Mr. Gabrys will look into the matter.
- Asked Mr. Lord which company the General Authority had chosen to finance its upcoming projects. Mr. Lord advised the Authority had chosen to go with a 20-year bond through Janney Montgomery Scott.
- Asked if the proposed walkway from Washington Crossing to Sugarcreek Towne Center would be constructed. Mrs. Jamieson advised an engineering study had been made; however, at this time, there are no monies for the actual construction.

**Mrs. Fletcher**

- Complimented the owners and Landscaping Connections for demolishing the burned house nextdoor to Advanced Auto and cleaning up the lot so quickly.

- Asked why the intersection of 12<sup>th</sup> & Liberty Streets had been reduced to one-lane over the weekend. Mr. Gabrys advised that, due to safety issues, Wastewater Network personnel were cleaning the main lines on Sunday.
- Advised Council that it had been decided to make Light-Up Night a family affair by including their families in passing out candy during the parade.

**ANY OTHER BUSINESS**

Mr. Heller asked if the detailed budget could be placed in the newspaper and on the City's website. Mr. Marshall explained it would be cost prohibitive to put it in the newspaper and too cumbersome to place on the website; however, it was available to the public to view at City Hall during normal business hours.

Mr. Heller reminded Council that a summary of the yearly audit was to be published in the newspaper and, also asked if there were plans to revamp the exterior of City Hall. Mr. Marshall was not aware of any monies being budgeted for this project.

**EXECUTIVE SESSION - Resolution No. 172**

Mr. Lyons moved to enter into executive session at 8:05 PM to discuss personnel, litigation and negotiations. Mrs. Fletcher seconded the motion, which passed unanimously. The executive session ended at 8:55 PM.

**ANY OTHER BUSINESS**

**Resolution No. 173** - Mr. Marshall moved to ratify the agreements with the Police & Fire bargaining units as outlined by Mr. Gabrys in executive session. Mr. Rudegeair seconded the motion, which passed unanimously.

**ADJOURNMENT - Resolution No. 174**

There being no further business to come before the Council at this time, Mr. Marshall moved to adjourn the meeting at 8:58 PM. Mr. Lyons seconded the motion which passed unanimously.

Respectfully submitted,

Darla Hawke, Recording Secretary